



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



May 23, 2013

Richard J. Bruckner  
Director

Pacific Charter School Development  
316 W. 2<sup>nd</sup> Street, Suite 900  
Los Angeles, CA 90012

**REGARDING: PROJECT NUMBER R2013-00084-(1)  
CASE NUMBER RPP201300002  
PARKING PERMIT  
3640 E. 1<sup>st</sup> Street, East Los Angeles (APN 5232-016-046 and -047)**

Dear Applicant:

The Regional Planning Commission, by its action of **May 22, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **June 5, 2013**. **Appeals must be delivered in person.**

**Appeals:** **To file an appeal, please contact:**  
Executive Office of the Board of Supervisors  
Room 383, Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles, CA 90012  
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Alice Wong of the Land Development Coordinating Center Section at (213) 974-6438 or by e-mail at [awong@planning.lacounty.gov](mailto:awong@planning.lacounty.gov). Our office hours are Monday, Tuesday, and Thursday from 7:30 a.m. to 5:30 p.m. and Wednesday from 8:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

Richard J. Bruckner  
Director

Mark Herwick, AICP  
Supervising Regional Planner  
Land Development Coordinating Center (LDCC) Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)  
cc: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement  
MH:aw

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-00084-(1)  
PARKING PERMIT NO. RPKP 201300002 &  
ENVIRONMENTAL ASSESSMENT NO. RENV 201300015**

1. **ENTITLEMENT REQUESTED.** The applicant, Alliance College-Ready Public Schools, is requesting a Parking Permit to authorize shared, off-site parking pursuant to County Code Section 22.52.1083 in the C-3 (Unlimited Commercial) Zone, in connection with the establishment, operation and maintenance of a public charter high school.
2. **HEARING DATE.** May 22, 2013
3. **PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION.**

A dully noticed public hearing was held on May 22, 2013 before the Regional Planning Commission. Commissioners Valadez, Louie, Helsley, and Pedersen, were present. Commissioner Modugno recused himself before the start of the hearing for this case.

The applicant Pacific Charter School Development (PCSD)'s representative, Mr. Eli Kennedy, and PCSD's attorney, Mr. Alex DeGood, presented brief testimony in support of the project and about the operations of PCSD in developing charter schools in needed communities, such as East Los Angeles. The future principal of the proposed high school, Mr. John Fox, also provided testimony in support of the project, mentioned the demographics of the future student body, and his vision for the school's continued growth and high achievements. Principal Fox asked the 6 students and parents present in the audience to stand in support of the project. They also answered questions presented by the Commission.

Four people in the public also spoke in support of the project. Ms. Irma Nunez, the artists' spokesperson, and Mr. Johnny Gonzalez, the lead artist of the mural, praised the collaborative effort they have had with the applicant and thanked the County in helping to preserve the 18-panel mural to be re-incorporated into the building of the proposed school. They believe the mural will serve as an educational piece for the students of the future school. Mr. David Botello, one of the artists of the mural, and Mr. Wayne Healy spoke in support of the Parking Permit to allow the development of the school to move forward with the incorporation of the mural, which they cited would help revitalize the community and 1<sup>st</sup> Street Corridor.

The applicant did not choose to provide a rebuttal.

Commissioner Helsley asked Public Works staff to confirm that no left turn into the parking lot from Rowan Avenue will be allowed. Public Works confirmed.

Commission discussion ensued. Commissioner Valadez indicated it is with great pleasure that she is able to witness the happiness and anticipation the audience has regarding the development. She thanked the collaborative work and effort by the applicant, the artists, and County staff in coming together to make this school and the preservation of the murals a reality for the East Los Angeles community. Commissioner Helsley commends the artists and community for the project design and development and indicated that he is glad to see that the murals are not designed to be within normal graffiti range but hopes that it would not be set back too far from the street that the mural cannot be seen from 1<sup>st</sup> Street.

After the testimonies, public comments, and Commission discussion, Commissioner Valadez moved that the case be approved with the mentioned amendments to three conditions as presented by Staff. Commissioner Helsley seconded the motion.

Commissioners Valadez, Helsley, Louie, and Pederson voted in favor of the motion. The Commission closed the public hearing, approving Parking Permit RPKP 201300002, subject to amendments to Conditions #16, #41, and #42, and adopting the associated Mitigated Negative Declaration and Mitigation Monitoring Program.

4. **PROJECT DESCRIPTION.** The applicant requests a parking permit to allow the required amount of parking necessary for a 22-classroom, approximately 22,419-square-foot public charter high school to be provided off-site and shared, on property located adjacent to the parcel on which the high school is to be developed. The school is proposed to have a student body of 600 students and 30 school staff, requiring 47 parking spaces. The Project site is a total of 1.58 acres with 0.68 for the school and 0.9 acres for the adjacent shared, off-site parking lot.

The adjacent parking lot is located within the R-2 (Two-Family Residence) zone and was previously approved for a parking lot in August 2012 by Project R2011-01275. The project includes the demolition of the existing commercial building (located on parcel APN 5232-016-046), which building includes an 18-panel art mural installed on the façade of the building that will be removed, stored, and re-installed at the subject property consistent with the terms of a Mural Preservation Plan.

The Los Angeles County Department of Regional Planning recommends that a Mitigated Negative Declaration is the appropriate environmental documentation under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Initial Study concluded that the project had a potentially significant impact related to cultural resources, but that such impact was reduced to a level of less than significant with mitigation. Therefore, with the implementation of the identified mitigation measures there is no evidence that the project will have a significant impact on the environment.

5. **LOCATION.** 3640 East 1<sup>st</sup> Street, East Los Angeles
6. **EXISTING ZONING.** The high school property is zoned C-3 (Unlimited Commercial) and shared, off-site parking is located on a parcel in the R-2 (Two-Family Residence) zone in the East Los Angeles Zoned District.
7. **EXISTING LAND USES.** The subject property is developed with a commercial building that is currently vacant.
8. **PREVIOUS CASES/ZONING HISTORY.** In 1938, Zoning Case 341 allowed for the additions to a store fronting First Street. Then, in 1951, Zoning Exception Case (ZEC643) approved a new market and associated refrigeration unit at an existing site with a department store at the northwest corner and the use of the R-2 zoned parcels (-007, -008, and -036) for parking. Subsequently, the parking lot was expanded by the approval of ZEC2082 in 1955 (inclusion of parcels -007, -008, -009, -035, and -036); ZEC8446 in 1967 (the inclusion of the use of parcel 5232-017-007, which is located across the street on Townsend Avenue); ZEC8906 in 1968 (parcel -034); and Conditional Use Permit case CUP269 in 1973 (parcel -010). The adoption in 1974 of Zone Change ZC6038 by Ordinance 10886 changed the zoning of parcels -007 and a portion of -045 from R-2 (Two-Family Residential) to C-3 (Unlimited Commercial). Variance case VAR245 approved in 1974 allowed for a two-story addition of 4,564 square feet to the rear of the shoe store on parcels -007 and -004 that exceeds 50% of the lot coverage

**GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.**

9. The portion where the school building is to be located is designated Categories MC-Major Commercial and the portion where the parking is located is designated LMD-Low/Medium Density Residential (17 dwelling units per acre) within the East Los Angeles Community Plan ("Community Plan").

The high school building is to be located within the MC land use designation which is consistent with the zoning designation of C-3 (Unlimited Commercial) and corresponds to the adjacent commercial development fronting 1<sup>st</sup> Street. The project site is surrounded by commercial designations and developments directly to the east, north, and west. Accredited schools through grade 12, which offer instruction required to be taught to the public schools by the Education Code of the state of California, are a permitted use within the C-3 zone.

10. The parking lot to be utilized for shared, off-site parking is located within the LMD land use designation which corresponds to the suburban type of residential development common in the area. The purpose of this category is to maintain existing single-family neighborhoods and ensure the continuation of the low to medium intensity residential nature of the neighborhoods with this designation. The project site was intended for development with a use that would be consistent in character and be compatible with the residential development in the area. The project site is surrounded by single-family residences to the south and southwest.

11. Indeed, the parking lot that is proposed for shared, off-site parking serves as a buffer between the southern residential properties with the northern commercial properties. The Community Plan policies mention that *“homes should be screened from business areas using walls and landscaping or by developing buffer uses such as parking lots”* and that the goal is to *“encourage and assist, where possible, the development of parking areas for businesses that fill a substantial need and do not significantly disrupt surrounding residential areas”*. This parking lot was approved together with a middle school for transitional parking by Director’s Review R2011-01275. The parking area is not proposed to expand and no parking reduction is requested. In fact, the shared, off-site parking lot contains sufficient parking spaces to serve the middle school as well as to serve the proposed high school’s off-site parking needs.
12. Also, there is an existing wall between the parking lot and the residential lots to the south. The parking lot that will serve the off-site high school and its own middle school is compatible with the Community Plan’s circulation and transportation policy that *“require new commercial development to provide parking which is designed to be compatible with adjoining businesses and residences, and meet strict development standards.”* The parking lot consists of a sufficient amount of parking spaces, landscaping, and a functional circulation pattern.
13. As stated in the Community Plan, two of the goals are *“to promote more efficient delivery of services, such as health, public safety, education, etc.”* and *“to bring the policies and values of the educational system into greater consistency with the needs and aspirations of the community”*. The establishment and maintenance of a high school ensures the essential delivery of educational services for the youth within the neighborhood and ensures achievement of the land use policy to *“maintain and enhance the quality of healthy and stable residential neighborhoods.”* Both the high school and its off-site parking lot meet the standards specified in the East Los Angeles Community Plan. .

**ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.**

14. Although a high school is a permitted use in the C-3 (Unlimited Commercial) zone pursuant to Section 22.28.180 of the Los Angeles County Zoning Code, a discretionary Parking Permit is required pursuant to Chapter 22.56, Part 7, to allow for the required parking for the high school to be provided in a shared, off-site parking lot. The shared, off-site parking lot is located on an adjacent parcel (APN 5232-016-047), which is owned, operated separately and contains a charter middle school currently under construction. This off-site parking lot was approved as a parking lot within the R-2 zone, pursuant to Section 22.20.190 for transitional parking and by Project R2011-01275.
15. Parking for a high school is required at one space per 5 occupants of the largest place of assembly, pursuant to Section 22.52.1200. A total of 47 spaces are required for the high school based on the occupancy of the multi-purpose room

within the multi-purpose building. The off-site parking lot contains 67 spaces, including 20 spaces that will serve the middle school located on the same lot, as well as 47 spaces that will satisfy the high school's required parking. Thus, parking requirements for both the middle school and the high school are being met on this off-site parking lot for the high school. Furthermore, while a loading space is not required, one loading space is provided in the off-site parking lot. Therefore, the Code parking requirements are met off-site as shown on the attached plans.

16. In addition to the parking requirements, this off-site parking lot also provides for the required yard setback, landscaping, and other development standards as governed by the Zoning Code and the East Los Angeles Community Standards District (CSD). The off-site parking lot has no rear yard but two front yards, each facing Townsend and Rowan. Section 22.20.220 of the County Code mentions that in the R-2 zone, front yards of not less than 20 feet in depth shall be provided. The parking lot has a landscaped front yard setback of 20 feet fronting these two streets. Therefore, the Code front yard setback requirements are met as shown on the attached plans.
17. An interior side yard of 5 feet is required but a 9-foot-2-inch side yard setback is provided. This interior side yard is at the southern end of the property, next to residential properties, and this distance allows for a sufficient buffer between the parking lot and the residential properties to minimize any noise and other nuisance. The East Los Angeles CSD of Section 22.44.118 of the Zoning Code requires that whenever adjacent to a property line, parking areas shall provide a landscaped buffer strip of at least 5 feet in width. This 9-foot-2-inch setback is proposed to be a landscaped strip. Therefore, the Code side yard setback requirements are met as shown on the attached plans.
18. Also, Sections 22.28.220 and 22.44.118 require that not to exceed 90% of the net lot area be occupied by buildings, with a minimum 10% of the net lot area landscaped with a lawn, shrubbery flowers and/or trees. The East Los Angeles CSD requires a 15-gallon tree to be provided for every 50 square feet of landscaped area, to be equally spaced along the buffer strip. Therefore, the Code landscaping requirements are met as shown on the attached plans.

**NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.**

19. The applicant is required to substantiate all facts identified by Section 22.56.1020 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof, because as conditioned, it would not adversely affect the surrounding properties, the use is a permitted use, and the shared, off-site parking can be accommodated on the proposed adjacent parcel. No parking reduction is requested. Parking is required at one space per 5 occupants based on the largest place of assembly for a high school, pursuant to Section 22.52.1200. A total of 47 spaces are required for the high school based on the occupancy of the multi-purpose room within the multi-purpose building. The off-site parking lot contains 67 spaces, including 20

spaces that will serve the middle school located on the same lot, as well as 47 spaces that will satisfy the high school's required parking.

20. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** Staff has worked with all the relevant County departments and the project must comply with all requirements of the County of Los Angeles Department of Public Works, Department of Public Health, Fire Department, and Parks and Recreation. The departments have provided comments and conditions that are included in the attached letters.
21. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** None received to date. Any agency comments and recommendations will be included and presented during the public hearing.
22. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting on April 22, 2013.
23. **PUBLIC COMMENTS.**
  - Ms. Irene Davila, identifying herself as part of a neighborhood watch group in the community, discussed her concerns regarding possible traffic congestion in the area.
  - Mr. Jimenez phoned and left a message for the planner to call him back. Planner left a message on his voicemail but have not heard back.
24. **PARKING PERMIT SPECIFIC FINDINGS**

In August 2012, the Regional Planning Commission upheld the approval of Director's Review R2011-01275 for a transitional parking lot associated with the development of a middle school. The currently proposed high school is proposing to utilize this off-site parking lot to meet its parking requirements. This lot will be shared with the adjacent middle school. The shared, off-site parking lot where the required parking for the high school will be provided contains sufficient parking spaces to serve the high school as well as the middle school because the middle school is required to have 20 parking spaces but has 67 spaces, an excess of 47 spaces. Pursuant to Section 22.52.1200, a high school is required one automobile space for each 5 persons, based on the occupant load of the largest room used for public assembly, as determined by the County engineer. The multi-purpose room within the multi-purpose building is given an occupancy load determination of 235 persons. Thus, the high school is required to provide 47 parking spaces which could all be accommodated on the proposed off-site parking lot. No shortage of parking is requested.
25. The project site is approximately 1.58 acres in size total, where the high school building is on 0.68 acres while the off-site parking lot is 0.90 acres in size.

Therefore, the site is adequate in size to accommodate all the necessary development standards and features.

26. The proposed shared, offsite parking lot is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind of quality of traffic such use would generate, and by other public and private service facilities as requested because it is located in an already developed area with established infrastructure.
27. The shared, off-site parking lot is an existing parking lot. It incorporates required landscaping, parking spaces, the inclusion of a drop-off/pick-up area, and an internal circulation route. A one-way circulation within the parking lot is proposed with access to the site from Rowan Avenue and exit onto Townsend Avenue.
28. The school and shared, off-site parking lot would comply with all applicable development standards for the C-3 or R-2 zones. Therefore, the use, development of land and/or application of development standards, including height, setbacks, loading, and landscaping, are in compliance with all applicable provisions of County Code Title 22 Zoning Code. The location of this shared, off-site parking lot, adjoining the high school, is conveniently accessible to the school use.
29. The proposal for a shared, off-site parking lot will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and not jeopardize, endanger, or otherwise constitute a menace to public health, safety, or general welfare. The high school use and its off-site parking lot would be compatible with the current land uses and would not cause any additional impact to the neighborhood. No traffic congestion, excessive off-site parking or unauthorized use of parking facilities developed to serve surrounding properties is proposed.
30. The adjacent property owner, PCSD 3640 1<sup>st</sup> Street LLC, will enter into a lease with the applicant allowing for off-site use of its 47 parking spaces and related areas, in connection with the applicant's operation and maintenance of the proposed high school, or until such time that this Parking Permit is no longer necessary or, if the use or the parking requirements ever change, the permittee will have to get new or additional permits, or otherwise bring their parking into compliance with the Code.
31. **ENVIRONMENTAL DETERMINATION** The Department of Regional Planning prepared a Mitigated Negative Declaration and Mitigation Monitoring Program pursuant to under California Environmental Quality Act (CEQA) reporting requirements. The Initial Study concludes that all potential impacts of the project are mitigated to a level of less than significant. The Notice of Intent to Adopt the Mitigated Negative Declaration was provided to the public on April 22, 2013, consistent with the provisions of Section 15072 of the CEQA Guidelines. Any

public comments to this environmental document will be presented on future correspondence or at the time of hearing.

32. **TERM LIMIT.** No term limit is set for the utilization of the shared, off-site parking lot. However, if the use or the parking requirements change, the permittee may have to get new or additional permits, or otherwise bring their parking into compliance with the Zoning Code.
33. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Land Development Coordinating Center (LDCC) Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

- A. That the number of parking spaces required by Part 11 of Chapter 22.52 are provided; and
- B. That there will be no conflicts arising from special parking arrangements allowing shared, facilities, tandem spaces or compact spaces; and
- C. That off-site facilities, leases of less than 20 years, rear lot transitional parking lots and uncovered residential parking lots will provide the required parking for uses; and
- D. That the requested parking permit at the location proposed will not result in traffic congestion, excessive off-site parking or unauthorized use of parking facilities developed to serve surrounding property; and
- E. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this ordinance.

THEREFORE, the information submitted by the applicant and presented at the public hearing May 22, 2013, substantiates the required findings for a Parking Permit as set forth in Section 22.56.1060 of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Regional Planning Commission certifies that the Mitigated Negative Declaration was completed in compliance with the California Environmental Quality Act ("CEQA") and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Mitigated Negative

Declaration and that it reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; finds that on the basis of the whole record before the Commission that there is no substantial evidence that the project, with the implementation of the mitigation measures, will have a significant effect on the environment;

2. The Regional Planning Commission adopts the Mitigated Negative Declaration prepared for the project pursuant to CEQA and adopts the Mitigation Monitoring Program ("MMP");
3. In view of the findings of fact presented above, the Parking Permit Case No. RPKP 201300002/Project No. R2013-00084 is **APPROVED** subject to the attached conditions of approval.

**VOTE**

Concurring: Valadez, Helsley, Pederson, and Louie

Dissenting: 0

Abstaining: 0

Absent: Modugno

Commission Action Date: May 22, 2013

MC:MH:aw  
5/23/2013

c: Each Commissioner, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2013-00084-(1)  
PARKING PERMIT NO. RPKP 201300002 &  
ENVIRONMENTAL ASSESSMENT NO. RENV 201300015**

**PROJECT DESCRIPTION**

The project is a parking permit to allow the required amount of parking necessary for a 22-classroom, approximately 22,419-square-foot public charter high school to be provided off-site, on property located adjacent to the parcel on which a public charter high school is to be developed. The adjacent parking lot is located within the R-2 (Two-Family Residence) zone and was previously approved for a parking lot on August 29, 2012, by Project R2011-01275.

The project includes the demolition of the existing commercial building (located on parcel APN 5232-016-046), which includes an 18-panel art mural installed on the façade of the building that will be removed, stored, and re-installed at the subject property consistent with the terms of a Mural Preservation Plan. This grant is subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term “permittee” shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning (“Regional Planning”) their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition Nos. 9, 10, and 13. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 6, and 10 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term “date of final approval” shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully

in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. This grant shall expire unless used within two years of the date of final approval of the grant by the County. A single, one-year time extension may be requested in writing, with payment of the applicable fee, before the expiration date.
7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file at Regional Planning. The permittee shall deposit with the County an initial sum of **\$600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while

inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **one (1) annual inspection each year for the first three (3) years of permit approval**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to Section 711.4 of the California Fish and Wildlife Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Wildlife Code, currently **\$2,231.25** (\$2,156.25 for a Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Program ("MMP"), which are incorporated by this reference as if set forth fully herein.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the Mitigation Monitoring Program ("MMP") and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

14. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") may, after conducting a public hearing, revoke or modify this grant, if the Commission finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
15. All development pursuant to this grant shall conform with the requirements of the County Fire Department to the satisfaction of said department as set forth in the attached Fire letter dated March 7, 2013, attached hereto and incorporated herein by this reference.
16. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department as set forth in the attached Public Works letter dated April 2, 2013, attached hereto and incorporated herein by this reference, and the following three items 1, 2, 3 of such requirements shall be completed by Public Works.
  1. Modify traffic signal at 1<sup>st</sup> Street and Townsend Avenue
  2. Modify/install signs and street striping at the intersections of 1<sup>st</sup> Street and Townsend Avenue & at 1<sup>st</sup> Street and Rowan Avenue
  3. Install street lights at Townsend Avenue and Rowan Avenue, as well as along 1<sup>st</sup> Street
17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Health to the satisfaction of said department as set forth in the attached Public Health letter dated February 27, 2013, attached hereto and incorporated herein by this reference.
18. All development pursuant to this grant shall conform with the requirements of the County Department of Parks and Recreation to the satisfaction of said department as set forth in the attached Parks and Recreation memorandum dated February 28, 2013, attached hereto and incorporated herein by this reference.
19. As this project is fully funded by public funds, the Division of the State Architect will be issuing the construction and building permits for the project, rather than the County's Building & Safety Department. The permittee shall comply with all requirements of the Division of the State Architect of the State of California.
20. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").

21. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
22. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

23. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies of** a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
24. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies of** the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PERMIT SPECIFIC CONDITIONS – PARKING PERMIT**

25. The permittee shall provide parking as required by the County Code, calculated at a parking ratio of 1 parking space per 5 occupants. The high school has an occupant load of 235 persons in the room of largest assembly (multi-purpose room) as determined by the County Engineer which would require not less than 47 spaces be provided based on the applicable ratio.

If the school substantially changes its mode or character of operation or if the permittee changes the use or occupancy or otherwise modifies the subject property so as to require parking beyond the minimum requirement, the permittee shall submit an application for a minor parking deviation, parking permit, variance, or other applicable permit, as determined by the Director, within 90 days of such occurrence.

26. The off-site parking shall be provided in the lot adjacent to the high school on parcel 5232-016-047, which contains 67 parking spaces, of which, 47 are reserved for the high school and 20 are reserved for the middle school.

27. The required parking spaces shall be continuously available for vehicular parking only and shall not be used for any unauthorized use. All required parking spaces shall be kept clear and open for guests and staff. Student parking is prohibited, per application.
28. Each standard parking space must have the dimensions 8.5 feet in width by 18 feet in length. The required backup space is 26 feet.
29. A total of up to 40% of the 47 spaces may be compact. Each compact parking space must have the dimensions 8 feet width by 15 feet length. The required backup behind these compact spaces is 23 feet.
30. The onsite drop-off/pick-up area is approved as depicted on the exhibit "A" was approved by Project R2011-01275, must also be approved by Public Works and the Division of the State Architect, and is a part of the approved exhibit "A" for this project.
31. Parking spaces and parking lot shall be provided in compliance with the American Disability Act (ADA) requirements as implemented by the Division of the State Architect.

#### **PROJECT SITE SPECIFIC CONDITIONS**

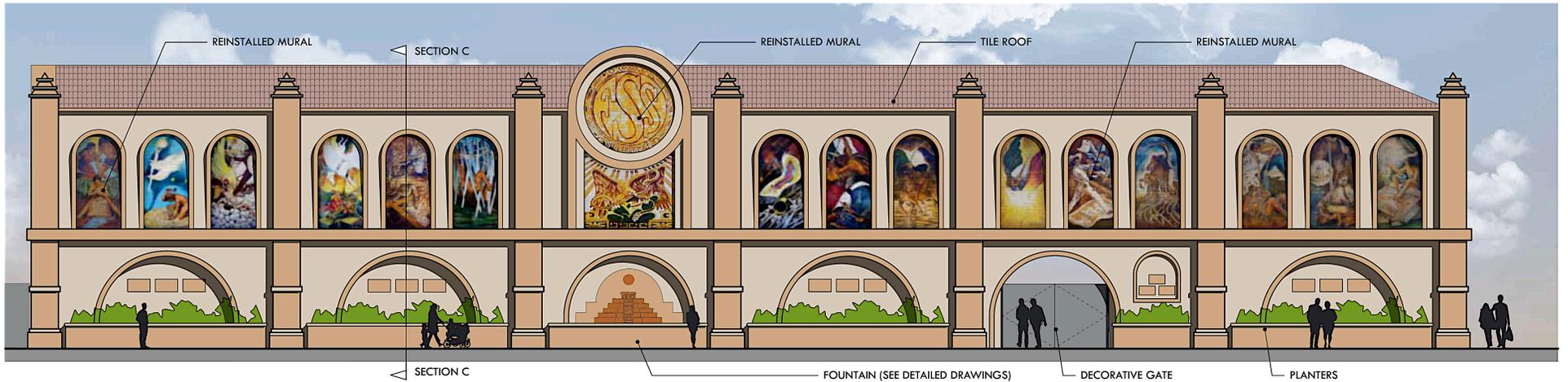
32. This grant shall authorize the establishment, operation and maintenance of a public charter high school as depicted on the approved Exhibit "A".
33. The 2-story high school building contains a total floor area of 22,419 square feet.
34. The high school's multi-purpose room will serve its recreational needs. Parks and Recreation has indicated that their public park facilities in the area are limited and use of any public park facilities for high school purposes is not proposed or authorized by this grant.
35. All external lighting shall be directed away from and shielded from adjacent residences. No athletic field lighting is proposed as there will not be any athletic fields.
36. No substantial grading and import and export are proposed. Any grading must be in accordance to a grading permit issued and required by Public Works and the Division of the State Architect.
37. The project must comply with applicable provisions of the Green Building ordinances and the Green Building Standards Code.

38. The permittee shall also comply with the requirements of the East Los Angeles Community Standards District (CSD) and as shown on the approved exhibit "A" for this project on file with Regional Planning.
39. All signage shall conform to the provisions of Part 10 of Section 22.52 and Section 22.44.118 of the East Los Angeles Community Standards District.
40. All landscaping shall conform to the provisions of Section 22.28.220 and Section 22.44.118 of the East Los Angeles Community Standards District.
41. The project shall be developed in conformance with the attached Exhibit "B" and Exhibit "C" to the satisfaction of the Director of Planning, including but not limited to the colors as specified therein. Materials and colors shall be submitted to and approved by the Director of Planning prior to installation.
42. Development in conformance with Exhibit "B" and Exhibit "C" must be completed prior to the allowed occupancy of the public charter high school by the Division of the State Architect of the State of California. Documentation to be provided to the satisfaction of the Director of Planning.

Attachments:

Mitigation Monitoring Program  
Fire Letter  
Public Works Letter  
Public Health Letter  
Parks and Recreation Memorandum

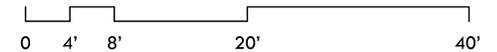
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5/23/2013



## THE FIRST STREET STORE MURAL WALL

3640 E. First Street in East Los Angeles, California

PROPOSED FIRST ST. ELEVATION



## Proposed Facade Reconstruction and Enhancement

### Alliance Media Arts and Entertainment Design High School

Alliance for College Ready Public Schools

Pacific Charter School Development

concept drawing prepared by Berliner and Associates Architecture

April 11, 2013

Don Juan aka Johnny D. González, 1970-1974 and 2013  
project concept & theme, architectural design and mural design

Irma Beserra Núñez, 2012-2013 artist representative

Melvyn Green, 2013 structural engineer consultant

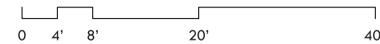
David Botello and Robert Arenivar, 1974 mural design



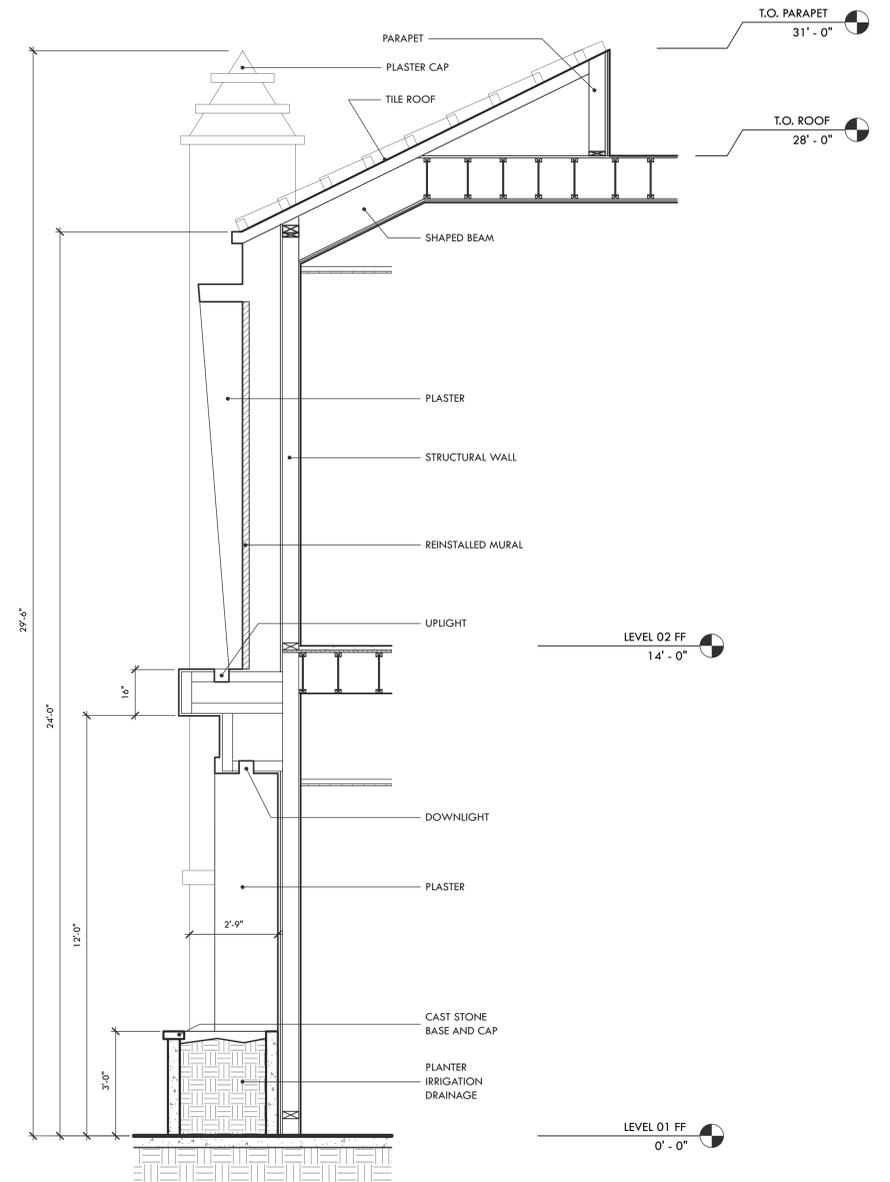
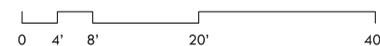
PROPOSED TOWNSEND ST. ELEVATION



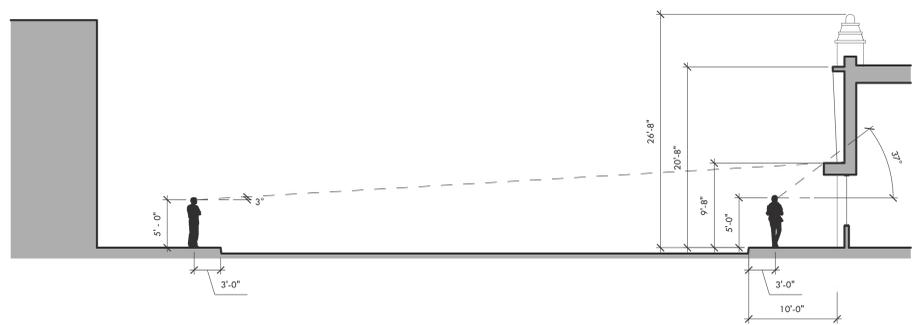
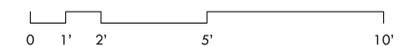
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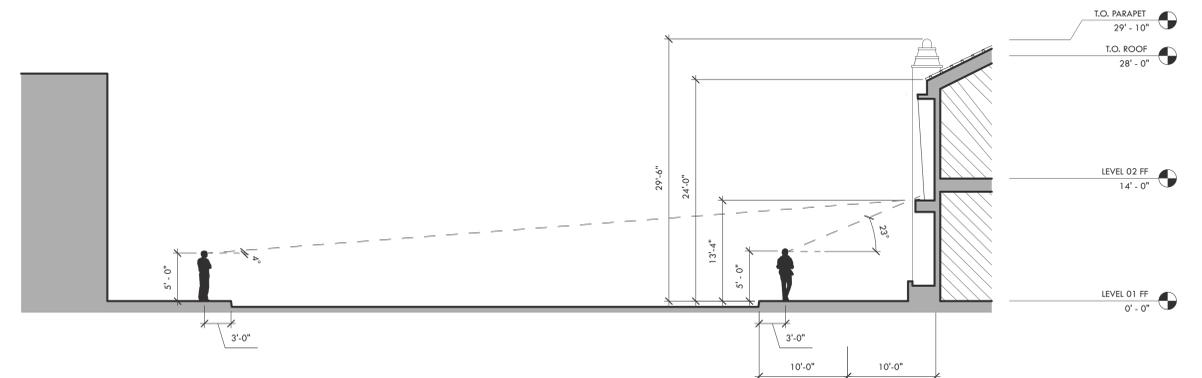
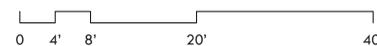
PROPOSED FIRST ST. ELEVATION



PROPOSED WALL SECTION



EXISTING FIRST ST. SECTION



PROPOSED FIRST ST. SECTION

